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SEP 26 2006

Request for Reconsideration

Applicants respectfully request reconsideration of the Examiner's position based on the above amendments to the claims, the attached Declaration of Mr. Fukusaka and the following remarks.

Claims Amendments

Claim 1 has been amended herein to recite that the organic silver salt is a silver salt of behenic acid. Support for this amendment can be found in the Examples in the Application, e.g. Page 117, line 2. No other amendments have been made to the claims as this time.

It is respectfully requested that this amendment be entered since it reduces the issues in this case. Specifically, the amendments were made in order to specifically address the criticism made by the Examiner in the previous Office Action that the data shown to date was only with respect to silver salts of behenic acid and not carboxylic acids having 10 to 30 carbon atoms. Thus, it is submitted that this amendment should be entered because it reduces the issues and will, in

conjunction with the Declaration data submitted herewith, place the case in condition for allowance.

Rejection

Claims 2-9 and 15-17 have been rejected as being unpatentable over a combination of Fukui, PS '266 and Oya.

In the previous Response, Declaration data was presented. The Examiner criticized the Declaration data on three grounds. First, no criticality was established with respect to the range of the molar ratio of the compound of formula (3) to the compound of formula (1). Second, the Examiner criticized it because the compounds of formula (1) that were tested did not have an aryl group at their linking group as taught in PS '266. Third, the Examiner criticized the Declaration because tests were shown only with respect to behenic acid and not with respect to aliphatic carboxylic acids having 10 to 30 carbon atoms.

With respect to the third criticism made by the Examiner, Claim 15 has been amended herein to limit the claim to behenic acid. This is specifically made to address the Examiner's criticism of the previously submitted data.

In order to address the first and second criticisms made in the previous Office Action, additional tests have been run and are presented herein by way of a Declaration of Mr. Fukusaka.

It will be noted that Mr. Fukusaka's Declaration is currently unexecuted, however, the data contained therein originated with the Declarant and is, therefore, entirely reliable. The Declaration has been sent to Mr. Fukusaka for execution and, as soon as the completed document is received, it will be forwarded to the Examiner. In the meantime, it is respectfully requested that the Examiner consider the data in the Declaration in order to expedite prosecution of this Application.

Turning to the first criticism made by the Examiner, the Examiner's attention is directed to Table 8 of the attached Declaration. In Table 8, it can be seen that the molar ratio of the compound of formula (1) versus the compound of formula (3) was varied to be inside and outside the claimed range. Specifically, it will be noted that Sample Nos. 16 and 20 used compounds of formula (1) and (3) where the ratio is below the claimed molar ratio and that Sample Nos. 19 and 23 had molar

ratios of compounds of formula (1) and (3) above the claimed range. These samples should be contrasted against Sample Nos. 17 and 18 and 21 and 22 which had molar ratios within the claimed range. As can be seen by the data in Table 9, inferior results are provided by Sample Nos. 16, 19, 20 and 23 compared to Sample Nos. 17, 18, 21 and 22. Thus, it is respectfully submitted that the data in the attached Declaration of Mr. Fukusaka clearly demonstrates the criticality of the molar ratio. The Examiner will also recall that, in the Declaration of Mr. Fukusaka dated May 9, 2006, additional data is provided with respect to the molar ratio of the compound of formula (1) to the compound of formula (3) for molar ratio of 0.08. This is also in the claimed range and, thus, the data shown in Tables 6 and 7 of Mr. Fukusaka's May 2006 Declaration should also be considered for providing another data point which demonstrate the criticality of the molar ratio between the compound of formula (1) and the compound of formula (3). Respectfully, the data, as presented in the Declaration of Mr. Fukusaka dated May 9, 2006 and the attached Declaration, clearly demonstrate the criticality of the molar ratio and specifically address the Examiner's criticism in the previous Office Action.

Turning to the second criticism made by the Examiner in the outstanding Office Action, it will be noted that the compound of formulas 1-33 has a phenol in the linking group. Formulas 1-33 is recited on page 18 of the present Application.

It will also be noted that Samples 4 and 6, recited in the March 2005 Declaration of Mr. Fukusaka, also contained phenol groups in the linking group, see paragraph 9 of Mr. Fukusaka's March 2005 Declaration.

Thus, Applicants submit that they have shown superior results when the linking group has an aromatic group in the linking group. This data, taken in conjunction with the data from Mr. Fukusaka's Declaration of May 2006, clearly demonstrates the unique aspects of employing a compound represented by formula (1) where the compound represented by formula (3).

In view of the Declaration data presented herein and the previous Declaration data, Applicants respectfully submit that they have clearly demonstrated the non-obviousness of the present Invention in light of the teachings of the prior art.

From: LUCAS & MERCANTI, LLP

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Conclusion

In view of the foregoing and the enclosed, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested. Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By:

Donald C. Lucas

Donald C. Lucas, 31,275  
Attorney for Applicant(s)  
475 Park Avenue South, 15<sup>th</sup> Floor  
New York, New York  
Tel. # 212-661-8000

Encl: Unexecuted Declaration of Mr. Fukusaka

DCL/mr